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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,278	03/15/2001	Robert Skvorecz	4336	9274
1109	7590	08/23/2011		
DAVID A. EINHORN BAKER & HOSTETLER, LLP 45 ROCKEFELLER PLAZA NEW YORK, NY 10111			EXAMINER  LE, TAN	
			ART UNIT 3632	PAPER NUMBER
			NOTIFICATION DATE 08/23/2011	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 09/772,278	<b>Applicant(s)</b> SKVORECZ, ROBERT	
	<b>Examiner</b> TAN LE	<b>Art Unit</b> 3632	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Tan Le (3) \_\_\_\_\_  
 (2) Eugene Libenstein (4) \_\_\_\_\_

Date of Interview: 16 August 2011.

Type: ☒ Telephonic ☐ Video Conference  
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☐ No.  
 If Yes, brief description: \_\_\_\_\_.

Issues Discussed ☐101 ☐112 ☐102 ☐103 ☒Others  
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: n/a.

Identification of prior art discussed: n/a.

#### Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

The Examiner contacted Applicant's representative to inform that the reissue case is allowable, however, there are some issues remained that need to be resolved before passing the case to issue:

(a) According to 37 CFR 1.172(a) and MPEP 1410.01, the instant reissue application is not completely clear that the patent has not been assigned. Applicant needs to provide an unambiguous statement as to the non-assignment (or preferably the appropriate box checked on PTO form PTO/SB/53).

(b) Declarations have some issues:

1- Does not indicate "sole inventor"

2-The residence (different from post office address) is missing.

3- The "reviewed and understand" clause in the declaration is missing

4- The amendment dates (referred to in the above clause) are missing.

5- There is a reference to "Defective to Specification or Drawing" but there doesn't appear to be any such errors.

Applicant is suggested to file a new declaration using form PTO/SB/51 and fill in the amendment dates as appropriate.

Applicant addressed to respond appropriately once Applicant received the substance of the interview.

**Applicant recodation instructions:** It is not necessary for applicant to provide a separate record of the substance of interview.

**Examiner recodation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recodation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recodation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/Tan Le/  
 Primary Examiner, Art Unit 3632